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TO: _____

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COMMENT:

PAGE 1/22 * RCVD AT 12/28/2006 10:53:11 AM [Eastern Standard Time] * SVR:USPTO-EFAXRF-6/41 * DNIS:2738300 * CSID:13123214299 * DURATION (mm-ss):02-48

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FACSIMILE COVER SHEET

Date: December 28, 2006
To: United States Patent & Trademark Office
Attention: Examiner Douglas N. Washburn
Fax No: 571-273-8300
From: John C. Freeman
Tel. No: 312-321-4200
Client No: 56-350

No. of Pages
(inc. this page): 21

Confirmation Copy To Follow: Yes ☐ No ☐

IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE,
PLEASE CALL 312-321-4200 AND ASK FOR: Pam Ward

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COVER MESSAGE:

Per Examiner Washburn's request, Applicant's are resubmitting the Amendment faxed to the US Patent Office on December 22, 2006. While Applicant's received confirmation from the patent office that the fax was received on December 22nd, it appears that the Amendment may have been misplaced at the patent office per Examiner Washburn.

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CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence, totaling 19 pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-8300 (Central number) on the below date:

Date: December 22, 2006 Name: John Freeman

Signature: *John Freeman*

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Erich Strasser

Appln. No.: 09/835,293

Filed: April 13, 2001

For: METHOD AND DEVICE FOR DETECTION
OF OSCILLATIONS BY A POSITION
MEASURING SYSTEM

Examiner: Douglas N.
Washburn

Art Unit: 2863

Attorney Docket No: 56/350

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Attached is/are:

- ☒ Transmittal (in duplicate) and Supplemental Amendment.
☒ Return Receipt Postcard.

Fee calculation:

- ☐ No additional fee is required.
☐ Small Entity.
☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(____).
☒ An additional filing fee has been calculated as shown below:

| | | | | | Small Entity | | | Not a Small Entity | |
|---|----------------------------------|-------|---------------------------------|---------------|--------------|-----------|----|--------------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Rate | Add'l Fee | or | Rate | Add'l Fee |
| Total | 51 | Minus | 28 | 23 | x \$25= | | | x \$50= | \$1,150.00 |
| Indep. | 4 | Minus | 3 | 1 | x 100= | | | x \$200= | 200.00 |
| First Presentation of Multiple Dep. Claim | | | | | + \$180= | | | + \$360= | |
| | | | | | Total | \$ | | Total | \$1,350.00 |

Fee payment:

- ☐ A check in the amount of \$_____ is enclosed.
☒ Please charge Deposit Account No. 23-1925 in the amount of \$1,350.00. A copy of this Transmittal is enclosed for this purpose.
☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date

December 22, 2006

Respectfully submitted,

John C. Freeman
John C. Freeman (Reg. No. 34,483)

BRINKS
HOFFER

BRINKS HOFFER GILSON & LIONE

NRC Tower - Suite 3600 455 N. Cleveland Plaza Drive Chicago, IL 60611-5599

DEC 28 2006

| | | |
|---|--|--|
| CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8 I hereby certify that this correspondence, totaling 19 pages including recited attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: 571-273-8300 (Central number) on the below date: Date: <u>December 22, 2006</u> Name: <u>John Freeman</u> Signature: <u>[Signature]</u> | | |
|---|--|--|

| |
|---------|
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Erich Strasser

Appln. No.: 09/835,293

Filed: April 13, 2001

For: METHOD AND DEVICE FOR DETECTION
OF OSCILLATIONS BY A POSITION
MEASURING SYSTEMExaminer: Douglas N.
Washburn

Art Unit: 2863

Attorney Docket No: 56/350

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

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| Indep. | 4 | Minus | 3 | 1 | x 100= | | | x \$200= | 200.00 |
| First Presentation of Multiple Dep. Claim | | | | | + \$180= | | | + \$380= | |
| Total | | | | | \$ | | | Total | |
| | | | | | | | | \$1,350.00 | |

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Respectfully submitted,

Date

John C. Freeman (Reg. No. 34,483)

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455 N. Dearborn Plaza Drive, Chicago, IL 60611-5599

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I hereby certify that this correspondence is being
deposited with Group Art Unit 2863 of the United States
Patent and Trademark Office, via facsimile (571-273-8300),
on December 22, 2006.

Name of Registered Representative:


John C. Freeman, Registration No. 34,483

December 22, 2006
Date of Signature

PATENT
CASE NO. 56/350

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application:)
)
Erich Strasser)
) Group Art Unit: 2863
)
Serial No.: 09/835,293)
) Examiner: Washburn, Douglas N.
Filed: April 13, 2001)
)
For: METHOD AND DEVICE FOR)
DETECTION OF OSCILLATIONS)
BY A POSITION MEASURING)
SYSTEM)

SUPPLEMENTAL AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is in response to the Office Action mailed August 9, 2006. Accordingly,
please cancel claims 1, 25 and 28 without prejudice, amend claims 2-4, 9, 24, 26 and 27 and add
claim 29-54 as follows: